

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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UNITED STATES OF AMERICA,

- against -

PABLO ARMANDO VALENZUELA,

Defendant.

22-CR-0633 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

The Court hereby reschedules the hearing set in this matter for Thursday, May 11, 2023, at 2:00 PM to Friday, May 19, 2023, at 10:00 AM. The Bureau of Prisons is hereby directed to appear before this Court at the May 19 hearing. The Court further directs the Government and the Bureau of Prisons to submit a report in writing, not to exceed three pages, by Tuesday, June 16, regarding the Bureau of Prisons' failure to respond to defendant Valenzuela's request to be evaluated by a vascular specialist.

The Court notes that the Bureau of Prisons informed the Court by email on May 9, 2023, of the following explanation:

An in-house medical provider has evaluated Mr. Valenzuela. He was provided with compression stockings in order to address the issue. Additionally, our two doctors and two medical providers reviewed his medical

chart and made a clinical decision that at this time the compression stockings should be the first step in treatment. They will allow for this to take this course and will re-evaluate him. If the first method of treatment does not prove to be successful, a vascular surgery consolation will be scheduled.

This statement does not appear to be consistent with prior representations by the Bureau of Prisons on this issue, such as a statement on January 17, 2023, that a "cons[ultation] with a vascular doctor is pending scheduling by our outside scheduler," and a statement on February 16, 2023, that a consultation was "awaiting on the date from medical." (See Dkt. No. 30). The Court anticipates that the Government and the Bureau of Prisons' forthcoming report will address these apparent discrepancies.

SO ORDERED.

Dated: 11 May 2023
New York, New York



Victor Marrero
U.S.D.J.